

1 WRIGHT, FINLAY & ZAK, LLP
2 Darren T. Brenner, Esq.
3 Nevada Bar No. 8386
4 Jory C. Garabedian, Esq.
5 Nevada Bar No. 10352
6 7785 W. Sahara Ave., Ste. 200
7 Las Vegas, NV 89117
8 (702) 475-7964; Fax: (702) 946-1345
9 jgarabedian@wrightlegal.net
10 *Attorney for Defendant, Bank of America, N.A.*

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANCIS WOOTERS,

Plaintiff,

v.

EXPERIAN INFORMATION SOLUTIONS,
INC., TRANS UNION, LLC, BANK OF
AMERICA, N.A., MARLETTE FUNDING,
LLC, FIRST NATIONAL BANK OF
OMAHA, JPMORGAN CHASE BANK,
N.A., HSBC BANK USA, N.A., AND
SYNCHRONY FINANCIAL.

Defendants.

Case No. 2:22-CV-01691-CDS-BNW

**UNOPPOSED MOTION TO EXTEND
TIME TO RESPOND TO PLAINTIFF'S
COMPLAINT**

(Second Request)

Defendant Bank of America N.A. ("BANA") by and through its undersigned counsel of record, hereby submits the following Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint (Second Request):

On October 6, 2022, Plaintiff filed his Complaint [ECF No. 1]. The Summons to Defendants was issued on October 7, 2022 [ECF No. 3] and purportedly served on October 10, 2022. On October 27, 2022, the Court granted BANA's Unopposed Motion to Extend Time to Respond to Plaintiff's Complaint (First Request) [ECF No. 9], which extended the deadline for BANA to respond the Complaint to November 30, 2022.

1 The parties have exchanged correspondence regarding their respective legal positions in
 2 this case in furtherance of case resolution efforts. However, BANA's national counsel was out of
 3 the country until December 6, 2022, and wanted the opportunity to review Plaintiff's latest
 4 correspondence sent on November 29, 2022, in furtherance of early resolution efforts. Plaintiff
 5 has approved an additional 14-day extension to respond to the Complaint, which would make the
 6 response due December 14, 2022.

7 Excusable neglect exists for the late submission of this Unopposed Motion. Counsel for
 8 BANA had the original Motion prepared and ready to file by the November 30, 2022 response
 9 deadline. The original Motion was sent to his paralegal for filing before 5:00 p.m., but counsel
 10 was unaware that his paralegal had already left for the day so the motion did not get filed until the
 11 next morning on December 1, 2022. [See ECF No. 34].

12 Based upon the foregoing, BANA respectfully requests that the Court extend the deadline
 13 for BANA to file its response to Plaintiff's Complaint to December 14, 2022. This is the second
 14 request for extension of time for BANA to respond to Plaintiff's Complaint. The extension is
 15 requested in good faith and is not for purposes of delay or prejudice to any other party.

16 Dated this 7th day of December, 2022.

17 WRIGHT, FINLAY & ZAK, LLP

18 /s/ Jory C. Garabedian

19 Darren T. Brenner, Esq.

20 Nevada Bar No. 8386

21 Jory C. Garabedian, Esq.

22 Nevada Bar No. 10352

7785 W. Sahara Ave., Suite 200

Las Vegas, Nevada 89117

Attorneys for Bank of America, N.A.

24 **IT IS SO ORDERED:**

25 

26 UNITED STATES MAGISTRATE JUDGE

27 DATED: December 8, 2022

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that December 7, 2022, and pursuant to Fed. R. Civ. P. 5(b), I served via the CM/ECF electronic filing system a true and correct copy of the foregoing **MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFF'S COMPLAINT** to the parties below:

Andrew Clark clarkas@ballardspahr.com, litdocket_west@ballardspahr.com, lvdocket@ballardspahr.com

George Haines Ghaines@freedomlegalteam.com, 9310938420@filings.docketbird.com, igotnotices@freedomlegalteam.com

Gerardo Avalos gavalos@freedomlegalteam.com, 3523372420@filings.docketbird.com

Jeffrey A Silvestri jsilvestri@mcdonaldcarano.com, bgrubb@mcdonaldcarano.com, caramiagerard@gmail.com, cgerard@mcdonaldcarano.com, ksurowiec@mcdonaldcarano.com

Jory C. Garabedian jgarabedian@wrightlegal.net, nvefile@wrightlegal.net, tsessions@wrightlegal.net

Karyna Armstrong karmstrong@mcdonaldcarano.com, mcarter@mcdonaldcarano.com

Marta D Kurshumova mkurshumova@joneslovelock.com, jlinton@joneslovelock.com, ljanuskevicius@joneslovelock.com, nlovelock@joneslovelock.com

Michael Kind mk@kindlaw.com, 9868081420@filings.docketbird.com

Nicole E. Lovelock nlovelock@joneslovelock.com, jlinton@joneslovelock.com, khyson@joneslovelock.com, ljanuskevicius@joneslovelock.com, lrillera@joneslovelock.com

Rachael Swernofsky rswernofsky@qslwm.com, lsanchez@qslwm.com, rpantoja@qslwm.com

Sue Trazig Cavaco scavaco@joneslovelock.com, jlinton@joneslovelock.com, ljanuskevicius@joneslovelock.com, lrillera@joneslovelock.com

/s/ Tonya Sessions

An employee of Wright Finlay & Zak LLP